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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213084
Party	Plaintiff Karmaloop, Inc.
Correspondence Address	DEBORAH J PECKHAM BURNS & LEVINSON LLP 125 SUMMER STREET BOSTON, MA 02110 UNITED STATES bpenrose@burnslev.com
Submission	Motion to Join/Substitute Party
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Date	08/20/2015
Attachments	Motion to Join.pdf(1918623 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application
Serial No. 85978778 Published April 23, 2013

KARMALoop, INC.)	
)	
Opposer,)	
)	Opposition No. 91213084
v.)	
)	
KARMA ATHLETICS, LTD.))
)	
Applicant.)	

Box TTAB FEE
Honorable Commissioner of Patents and Trademarks
P. O. Box 1451
Alexandria, Virginia 22313-1451

MOTION TO JOIN

Movant, Karmaloop LLC, a limited liability company established under the laws of Delaware, having an address at 334 Boylston Street, Suite 500, Boston, MA, 02116 seeks to join the above captioned proceedings as successor in interest to Opposer, Karmaloop, Inc., and as assignee of Opposer's U.S. trademark registrations. In support of its Motion, Movant states as follows:

1. Opposer Karmaloop, Inc. was, at the time of the initialization of these proceedings, the owner of U.S. Trademark Registrations 3408653 (KARMALoop) and 4309157 (KARMA Loop).

2. On October 21, 2013, Karmaloop, Inc. initiated the present Opposition citing U.S. Trademark Registrations 3408653 (KARMALoop) and 4309157 (KARMA Loop) as bases for its Notice of Opposition.

3. On March 23, 2015, Karmaloop, Inc. filed a voluntary petition for relief under chapter 11 of the United States Bankruptcy Code (11 U.S.C. § 101 *et seq.*) in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

4. On May 21, 2015, the Bankruptcy Court entered an order (Bankruptcy Case Docket No. 234) authorizing and approving, among other things, the sale of substantially all of the assets of Karmaloop Inc. under, *inter alia*, Bankruptcy Code §§ 363 and 365 and pursuant to that certain Asset Purchase Agreement dated as of

June 5, 2015, including the sale and assignment of U.S. Trademark Registrations 3408653 (KARMALoop) and 4309157 (KARMA LOOP).

5. On June 5, 2015, consistent with the Bankruptcy Court's order, Karmaloop, Inc. executed an Assignment of Trademarks in favor of ComCap Acquisition LLC, effectuating assignment of U.S. Trademark Registrations 3408653 (KARMALoop) and 4309157 (KARMA LOOP). The Assignment of Trademark was recorded with the Assignment Division of the U.S. Trademark Office on June 10, 2015, at Reel/Frame No. 5549/0361.

6. On June 5, 2015, ComCap Acquisition LLC changed its name to Karmaloop LLC. The Change of Name was recorded with the Assignment Division of the U.S. Trademark Office on June 15, 2015, at Reel/Frame No. 5552/0671.

7. By virtue of its ownership of U.S. Trademark Registrations 3408653 (KARMALoop) and 4309157 (KARMA LOOP) and the trademark rights evidenced therein, Movant believes that it will be damaged by registration of Application Serial No. 85978778.

8. Consistent with Section 5121.01 of the Trademark Trial and Appeal Board Manual of Procedure, Movant believes that it should be joined as an Opposer in the present proceedings.

WHEREFORE, Movant Karmaloop LLC requests that it be permitted to join the above-captioned proceedings as an Opposer.

Movant hereby appoints Oscar L. Alcantara of the firm GOLDBERG, KOHN, LTD., its Attorney of Record in the matter of the above captioned Notice of Opposition to prosecute this opposition to transact all business with the United States Patent and Trademark Office and the United States Courts connected with this Opposition, and to sign his name to all papers which may hereafter be filed in connection with this opposition and to receive the official communications relating to this opposition.

KARMALoop LLC.

By s//Oscar L. Alcantara

One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 20, 2015 he caused a copy of the foregoing Motion to Join to be delivered by first class mail and e-mail transmission upon the following:

Joseph W. Berenato, III
Berenato & White LLC
6550 Rock Spring Drive, Suite 240
Bethesda, MD 20817-1173

jberenato@bw-iplaw.com

A handwritten signature in blue ink, appearing to read "Oscar Alcantara", is written over a horizontal line.

Oscar L. Alcantara

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